

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor: David K. Swanson

App. No.: 10/727,096

Filing Date: December 2, 2003

Title: SURGICAL METHODS AND
APPARATUS FOR STIMULATING TISSUE

Examiner: Roane, Aaron F.

Art Unit: 3739

Docket No. 03-0242 (US01)

Confirmation No. 6001

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Mail Stop RCE
Commissioner for Patents
Box 1450
Alexandria, Virginia 22313-1450

Commissioner:

Applicant respectfully submits this Amendment and Request for Continued Examination (RCE) in response to the final Office Action mailed on November 14, 2008. Applicant respectfully submits that, upon entry of this amendment, the application will be in condition for allowance.

Amendments to the claims are reflected in the listing of claims beginning on page 2.

Remarks begin on page 8.

CERTIFICATE OF EFS-WEB TRANSMITTAL

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below via the USPTO-EFS-Web filing system.

Jocelyn L. Lee

Name of Person transmitting Paper

February 17, 2009

Date of deposit

/Jocelyn L. Lee/

Signature of Person depositing Paper